

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 13
	:	
TROY W. SCOTT, III and	:	CASE NO: 1-16-bk-03592-HWV
JA'NET M. BRYANT-SCOTT,	:	
	:	
Debtors	:	

**MOTION TO MODIFY DEBTORS' SECOND AMENDED CHAPTER 13 PLAN**

The Motion of Troy W. Scott, III and Ja'Net M. Bryant-Scott, Debtors herein, to Modify their Second Amended Chapter 13 Plan is as follows:

1. Debtors filed their voluntary petition in Chapter 13 bankruptcy on August 30, 2016, and the supporting Chapter 13 Schedules, Statements, Payment Advices and Chapter 13 Plan were filed on August 30, 2016.
2. On January 25, 2017, the initial confirmation hearing was held, where Debtors requested to file a First Amended Plan within thirty (30) days conforming with filed proofs of claim.
3. On February 7, 2017, Debtors filed a First Amended Chapter 13 plan. A hearing on the confirmation of Debtors' First Amended Chapter 13 Plan was held on March 22, 2017, and the plan was confirmed by order dated March 23, 2017.
4. Debtors then fell behind on their mortgage payments, and Debtors' mortgage servicer, Ditech Financial, filed a Motion for Relief on February 21, 2017.
5. By Stipulation filed May 26, 2017, and approved May 31, 2017, the Debtors agreed to cure post-petition arrears in an amended plan.
6. On June 2, 2017, Debtors filed a Motion to Modify Confirmed Plan, and on June 28, 2017, an Order was entered granting Debtor's Motion to Modify.

7. On November 14, 2017, the Trustee filed a Motion to Dismiss Chapter 13 Case.
8. The Motion to Dismiss was resolved by Stipulation to amend Plan within thirty (30) days filed on December 5, 2017.
9. Debtors desire to submit a Third Amended Chapter 13 Plan curing said arrears in their Chapter 13 Plan and prorating them over the remaining months of their sixty month plan in a tiered fashion, while applying for a loan modification.
7. A true and correct copy of the Debtors' proposed Third Amended Chapter 13 is attached hereto as Exhibit "A".
8. Debtors believe that they will be able to comply with the terms and conditions of their Third Amended Chapter 13 Plan.
9. Debtors believe that it is in their best interest and the best interest of their creditors to allow the proposed Third Amended Chapter 13 Plan to be approved and modified as filed.

WHEREFORE, Troy W. Scott, III and Ja'Net M. Bryant-Scott, Debtors herein, respectfully request this Honorable Court enter an Order allowing the Debtors to modify their Second Amended Chapter 13 Plan and further provide all such other relief as is proper and just.

Respectfully submitted,

SCHIFFMAN, SHERIDAN & BROWN, P.C.

By: /s/ Tracy L. Updike

Tracy L. Updike, Esquire  
2080 Linglestown Road, Suite 201  
Harrisburg, PA 17110  
(717) 540-9170  
(Attorneys for Debtors)

Date: February 5, 2018